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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/725,617 |
| | | Filing Date | December 2, 2003 |
| | | First Named Inventor | Felipe Albertao |
| | | Art Unit | N/A |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 1 | Attorney Docket Number | 08212/0200344-US0 |

ENCLOSURES (Check all that apply)

| | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO SB/08 (1 page) Cited References (4) Certificate of Express Mailing (1 page) Return Receipt Postcard (1) |
| <div>Remarks</div> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | DARBY & DARBY P.C. Jamie L. Wiegand - 52,361 |
| Signature | |
| Date | May 18, 2004 |



Application No. (if known): 10/725,617

Attorney Docket No.: 08212/0200344-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV398896070US in an envelope addressed to:

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Transmittal (1 page)
Information Disclosure Statement (2 pages)
PTO SB/08 (1 page)
Cited References (4)
Certificate of Express Mailing (1 page)
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent Application of:
Felipe Albertao**

Application No.: 10/725,617

Filed: December 2, 2003

For: SYSTEM AND METHOD FOR
DISTRIBUTING SOFTWARE UPDATES TO
A NETWORK APPLIANCE

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of only those documents listed below is attached:

| Other Documents |
|--|
| The Apache Software Foundation, "The Apache Project" http://ant.apache.org/ |
| Sun Microsystems, Inc., "Project JXTA Technology: Creating Connected |

| |
|---|
| Website http://c2.com/cgi/wiki?DoTheSimplestThingThatCouldPossiblyWork . PKI Forum, "PKI Basics: a Technical Perspective", pp 1-12, November 2002 |
|---|

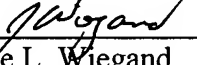
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

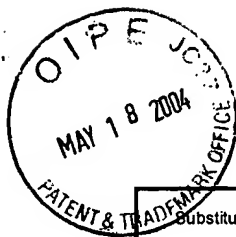
The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: May 18, 2004

Respectfully submitted,

By 

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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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|-------|---|----|---|------------------------|-------------------|
| Sheet | 1 | of | 1 | Attorney Docket Number | 08212/0200344-USO |
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Complete if Known

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|------------------------|-------------------|
| Application Number | 10/725,617 |
| Filing Date | December 2, 2003 |
| First Named Inventor | Felipe Albertao |
| Art Unit | N/A |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 08212/0200344-USO |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | AA | US-5,155,847-B1 | 10-13-1992 | Kirouac et al. | |
| | AB | US-5,867,714-B1 | 02-02-1999 | Todd et al. | |
| | AC | US-5,909,581-B1 | 06-01-1999 | Park | |
| | AD | US-6,240,550-B1 | 05-29-2001 | Nathan et al. | |
| | AE | US-6,263,497-B1 | 07-17-2001 | Maeda et al. | |
| | AF | US-6,282,709-B1 | 08-28-2001 | Reha et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|----------------------|--------------------------|---|----------------|
| | CA | The Apache Software Foundation, "The Apache Project" http://ant.apache.org/ | |
| | CB | Sun Microsystems, Inc., "Project JXTA Technology: Creating Connected Communities", March 2003. | |
| | CC | Website http://c2.com/cgi/wiki?DoTheSimplestThingThatCouldPossiblyWork . "Do The Simplest Thing That Could Possibly Work" | |
| | CD | PKI Forum, "PKI Basics: a Technical Perspective", pp 1-12, November 2002 | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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